

MICHAEL J. BETTINGER (STATE BAR No. 122196)
STEPHEN M. EVERETT (STATE BAR No. 121619)
HOLLY HOGAN (STATE BAR No. 238714)
K&L GATES LLP
4 Embarcadero Center, Suite 1200
San Francisco, California 94111-5994
Telephone: 415.882.8200
Facsimile: 415.882.8220
mike.bettinger@klgates.com
stephen.everett@klgates.com
holly.hogan@klgates.com

ISABELLA E. FU (State Bar No. 154677)
MICROSOFT CORPORATION
One Microsoft Way
Redmond, WA 98052
Telephone: (425) 882-8080
Facsimile: (425) 936-7329
Isabella.Fu@microsoft.com

Attorneys for Defendant, Counterclaimant
MICROSOFT CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IMPLICIT NETWORKS, INC.,

Plaintiff,

vs.

SYBASE, INC. and MICROSOFT
CORPORATION,

Microsoft.

MICROSOFT CORPORATION,

Counterclaimant,

vs.

IMPLICIT NETWORKS, INC.,

Counterdefendant.

Case No. 3:09-cv-01478 SI

**STIPULATION AND [PROPOSED]
ORDER PURSUANT TO LOCAL RULE 6-2
TO EXTEND TIME FOR PATENT LOCAL
RULE 4-2 DEADLINE**

Pursuant to Local Rule 6-2, Defendant Microsoft Corporation (“Microsoft”) and Plaintiff Implicit Networks, Inc. (“Implicit”) hereby stipulate as follows:

WHEREAS, on August 3, 2009, the Court issued its scheduling order (Docket No. 25-1);

WHEREAS, the Court’s scheduling order provides that the parties are to exchange preliminary claim construction(s) and extrinsic evidence pursuant to Patent Local Rule 4-2 on November 5, 2009;

WHEREAS, the Court’s scheduling order provides that the parties are to exchange responsive claim construction(s) on November 23, 2009;

WHEREAS, the parties have agreed to extend the foregoing dates for the convenience of the parties as follows: (i) the parties have agreed to extend the date for the exchange of preliminary claim construction(s) and extrinsic evidence pursuant to Patent Local Rule 4-2 from November 5, 2009 to November 19, 2009, and (ii) the parties have further agreed to extend the date to exchange responsive claim construction(s) from November 23, 2009 to December 1, 2009;

WHEREAS, the extension of the foregoing dates will not affect any other court-ordered dates, and will not affect the January 11, 2010 filing of the parties’ joint claim construction and pre-hearing statement pursuant to Patent Local Rule 4-3; and

WHEREAS, this is the parties’ first request for extension of these dates.

IT IS HEREBY STIPULATED by Plaintiff and Defendant, through their counsel of record, that the parties will exchange (i) preliminary claim construction(s) and extrinsic evidence pursuant to Patent Local Rule 4-2 on November 19, 2009, and (ii) the parties will exchange responsive claim construction(s) on December 1, 2009.

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1 IT IS SO STIPULATED.

2 Dated: November 4, 2009

K&L GATES LLP

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4 By: /s/ Holly Hogan

5 MICHAEL J. BETTINGER (STATE BAR NO. 122196)
6 STEPHEN M. EVERETT (STATE BAR NO. 121619)
7 HOLLY HOGAN (STATE BAR NO. 238714)
8 K&L GATES LLP
9 4 Embarcadero Center, Suite 1200
10 San Francisco, California 94111-5994
11 Telephone: 415.882.8200
12 Facsimile: 415.882.8220
13 mike.bettinger@klgates.com
14 stephen.everett@klgates.com
15 holly.hogan@klgates.com

16 ISABELLA E. FU (State Bar No. 154677)
17 MICROSOFT CORPORATION
18 One Microsoft Way
19 Redmond, WA 98052
20 Telephone: (425) 882-8080
21 Facsimile: (425) 936-7329
22 Isabella.Fu@microsoft.com

23 Attorneys for Defendant

24 MICROSOFT CORPORATION

25 By: /s/ George F. Bishop

26 SPENCER HOSIE (STATE BAR NO. 101777)
27 BRUCE WECKER (STATE BAR NO. 078530)
28 GEORGE F. BISHOP (STATE BAR NO. 89205)
HOSIE RICE LLP
188 The Embarcadero, Suite 750
San Francisco, CA 94105
Phone: (415) 247-6000
Fax: (415) 247-6001
shosie@hosielaw.com
bwecker@hosielaw.com
gbishop@hosielaw.com

Attorneys for Plaintiff

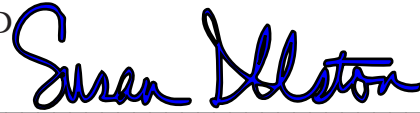
IMPLICIT NETWORKS, INC.

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PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: _____



Honorable Susan Illston
UNITED STATES DISTRICT JUDGE